

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

EDWARD HERNANDEZ and JULIANNE E HERNANDEZ

Case No. 22-42601-ELM

DEBTOR(S),

REPORT OF (NOT HELD) SECTION 341 MEETING
AND TRUSTEE'S RECOMMENDATION CONCERNING CONFIRMATION

Meeting Information:

Meeting Date: December 7, 2022

Time: 1:30 pm

Original Date: December 7, 2022

1. Debtor(s) Appeared? D1: **NO** D2: **NO**
ID Checked: **NO** ID Checked:
SS Checked: **NO** SS Checked:
2. Debtor(s) attorney/paralegal appeared? **YES** Debtor(s) attorney/firm: **David Henshaw**
representing HENSHAW LAW OFFICE
3. Creditors Appeared: **none representing**
4. **341 Meeting: NOT HELD**
5. Payment Information:

Current monthly payment per Plan: **\$1,200.00** First Payment due: **11/30/2022**
\$ rec'd as of 12/12/2022 **\$0.00** Length of Plan: **60 months**
Base Amount per Plan: **\$72,000.00**

Confirmation Issues: REFER TO LEGAL: YES

The tests for Confirmation have/have not been met, as follows:

- N 6. Disposable Income(monthly): **\$0.00** x 36 ACP = Unsecured Pool per Trustee: **\$0.00**
- N 7. Base Amount is sufficient. UCP per Plan: **\$0.00**
- Y 8. Debtor is Eligible (Unsecured & Priority under \$419,275.00; Secured under \$1,257,850.00.)
- Y 9. Best Interest: Exemptions: Federal: **YES** State:
- Non-exempt Property Description and Equity in
each item:
Total Equity in non-exempt prop. \$ Total Non-Exempt Equity per Plan: **\$0.00**
- Y 11. Exemptions Proper: If no, explain:
- Y 12. Feasibility: Surplus per I & J: **\$1,208.07**

Step Balloon Unemployed Negative Surplus/ Projected Income Other:
Insuff Surplus

Plan Payments:	Which Debtor	Start Date	Pmt Amt	Frequency	# of Periods
	D1	11/30/2022	\$1,200.00	MO	3
	D2	02/28/2023	\$1,200.00	MO	57

- N 13. Good Faith Petition and Plan:
- a. Plan Payment at least 90 % I minus J \$ **\$1,087.26**
- b. Plan **does not** contain non-standard language.
- c. Other:

14. Domestic Support Obligation: Debtor testified that all post-petition DSO have been paid.

- N 15. Debtor testified that previous 4 years tax returns have been
filed with the IRS. If no, year(s) not filed:
Year(s) not provided to Trustee's office:

- N 16. Business Case Meeting Required?

Debtor(s): EDWARD HERNANDEZ and JULIANNE E HERNANDEZ

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Y 17. Debtor Attorney Fees meet Guidelines.

By: /s/ Brittany Kitchen

Brittany Kitchen
Presiding Officer

18. Legal Department Notes: Trustee recommends confirmation based on the above representations except:

Objection to be Filed?: **NO**

Objection Type: **No Objection Needed**

By: Angela Allen

Attorney for Trustee / Trustee